

PURPLE HEART FAMILY EQUITY ACT OF 2007

NOVEMBER 6, 2007.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. CONYERS, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany H.R. 1119]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 1119) to amend title 36, United States Code, to revise the congressional charter of the Military Order of the Purple Heart of the United States of America, Incorporated, to authorize associate membership in the corporation for the spouse of a recipient of the Purple Heart medal, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

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THE AMENDMENT

The amendments are as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Purple Heart Family Equity Act of 2007”.

SEC. 2. ASSOCIATE MEMBERSHIP IN THE MILITARY ORDER OF THE PURPLE HEART OF THE UNITED STATES OF AMERICA, INCORPORATED.

Section 140503(b) of title 36, United States Code, is amended by striking “parents and lineal descendants” and inserting “the parents, spouse, siblings, and lineal descendants”.

Amend the title so as to read:

A bill to amend title 36, United States Code, to revise the congressional charter of the Military Order of the Purple Heart of the United States of America, Incorporated, to authorize associate membership in the corporation for the spouse and siblings of a recipient of the Purple Heart medal.

PURPOSE AND SUMMARY

Under the existing Federal charter of the Military Order of the Purple Heart (MOPH), members of the MOPH are only allowed to invite parents and lineal descendants to join the MOPH as associate members. H.R. 1119 amends the MOPH’s Federal charter to allow members to invite their spouses and siblings to join as associate members both for male and female recipients of the Purple Heart medal.

BACKGROUND AND NEED FOR THE LEGISLATION

The Purple Heart is awarded to members of the United States Armed Forces—male and female—who are wounded in battle and to the next of kin in the name of those who are killed in action or die of wounds received in action. It is specifically a combat decoration.

The organization now known as the “Military Order of the Purple Heart” (MOPH) was formed in 1932 for the protection and mutual interest of all who have received the decoration. Wives, mothers, daughters, step-daughters and adopted daughters of Purple Heart recipients are eligible to belong to the Ladies’ Auxiliary of MOPH, which also does important work nationally and locally in veterans hospitals.

When MOPH was federally chartered in 1958, very few women had received the Purple Heart. Women recipients of the Purple Heart currently do not have the same benefits as their male counterparts. Under the current law, male members can invite their wives to join the Ladies Auxiliary of the Purple Heart—but there is no place in the organization for husbands of Purple Heart recipients. To date, the MOPH has identified at least 97 female Purple Heart recipients who have joined and who are not enjoying the full benefits of membership that they deserve.

H.R. 1119, the “Purple Heart Family Equity Act of 2007,” seeks to fully honor the women of the Armed Forces who have won the Purple Heart defending our nation. Specifically, H.R. 1119 adjusts MOPH’s Federal charter to allow members to invite their spouses to join as associate members both for male and female recipients of the Purple Heart. With this minor update to the Federal charter, the husbands of female members may join the organization. H.R.

1119 is endorsed and fully supported by the Military Order of the Purple Heart.

H.R. 1119 also allows members to invite their siblings to join as associate members so that they too can take part in the full honor of their brothers and sisters who fought so bravely for our country and received a Purple Heart.

HEARINGS

The Committee on the Judiciary held no hearings on H.R. 1119.

COMMITTEE CONSIDERATION

On July 27, 2007, the Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law met in open session and ordered the bill, H.R. 1119, favorably reported, with an amendment, by a voice vote, a quorum being present. On August 2, 2007, the Committee met in open session and ordered the bill, H.R. 1119, favorably reported without amendment, by a voice vote, a quorum being present.

COMMITTEE VOTES

In compliance with clause 3(b) of rule XIII of the Rules of the House of Representatives, the Committee advises that there were no recorded votes during the Committee's consideration of H.R. 1119.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 1119, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 16, 2007.

Hon. JOHN CONYERS, Jr.,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1119, the Purple Heart Family Equity Act of 2007.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Schmit.

Sincerely,

PETER R. ORSZAG,
Director.

Enclosure.

H.R. 1119—Purple Heart Family Equity Act of 2007

H.R. 1119 would authorize the Congressionally chartered Military Order of the Purple Heart of the United States of America, Incorporated, to grant associate membership status in that organization to the spouses and siblings of purple heart recipients. Because Congressionally chartered organizations listed in title 36 of the U.S. Code are not agencies of the U.S. Government, CBO estimates this bill would have no impact on the federal budget.

H.R. 1119 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on State, local, or tribal governments.

The CBO staff contact for this estimate is Matthew Schmit. This estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

The Committee states that pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the goal of H.R. 1119 is to provide equity for female Purple Heart recipients so that their spouses can also participate in the Military Order of the Purple Heart. H.R. 1119 does so by amending the Order's Federal charter to allow for associate membership of spouses and siblings in addition to parents and lineal descendants already covered under current law.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8, clause 18 of the Constitution.

ADVISORY ON EARMARKS

In accordance with clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 1119 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

SECTION-BY-SECTION ANALYSIS

The following discussion describes the bill as reported by the Committee.

Sec. 1. Short title. Section 1 sets forth the short title of the bill as the Purple Heart Family Equity Act of 2007.

Sec. 2. Associate Membership in the Military Order of the Purple Heart of the United States of America, Incorporated. Section 2 amends the charter of the Military Order of the Purple Heart to allow for spouses and siblings to join the Military Order of the Purple Heart as associate members.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 140503 OF TITLE 36, UNITED STATES CODE**§ 140503. Membership**

(a) * * *

(b) ASSOCIATE MEMBERS.—The corporation may extend eligibility for membership as associate members to [parents and lineal descendants] *the parents, spouse, siblings, and lineal descendants* of an individual described in subsection (a) of this section on terms provided in its constitution and bylaws.

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